

## quarterly 2010.1



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GREENPEACE

# To kick off this edition of *The Quarterly,* we'd like to introduce you to Kumi Naidoo, who became Greenpeace International's new Executive Director in November 2009.

Born in South Africa, Kumi became involved in the country's liberation struggle at the age of 14. As a result of his antiapartheid activities, he was expelled from high school. He was deeply involved in neighbourhood organisation, youth work in his community and mass mobilisations against the apartheid regime. In 1986, he was arrested and charged for violating the state of emergency regulations. He went underground for one year before finally deciding to live in exile in England until 1989. During this time, he was a Rhodes scholar at Oxford and earned a doctorate in political sociology. After Nelson Mandela's release in 1990, Kumi returned to South Africa to work on the legalisation of the African National Congress. During the democratic elections in 1994, he was the official spokesperson of the Independent Electoral Commission and directed the training of all electoral staff in the country.

Kumi became the founding executive director of the South African National NGO Coalition (SANGOCO), an umbrella agency for the South African NGO community. Provoked by the fact that South Africa has one of the highest rates of violence against women, Kumi organised the National Men's March Against Violence on Women and Children in 1997.

From 1998 to 2008, Kumi was the Secretary General and Chief Executive Officer of CIVICUS: World Alliance for Citizen Participation, which is dedicated to strengthening citizen action and civil society throughout the world. He was the founding Chair of the Global Call to Action Against Poverty. He also served as a board member of the Association for Women's Rights in Development and was appointed by the former Secretary General of the United Nations, Kofi Annan, to the Eminent Persons Panel on UN Civil Society Relations.

Greenpeace phoned Kumi at the beginning of 2009, to ask if he would consider running as a candidate for the job of Greenpeace International Executive Director. At that time, he was on Day 19 of a hunger strike, protesting that South Africa end its support of the Zimbabwean dictatorship under Robert Mugabe. He had been drinking only water and was feeling very, very weak. He initially said that is just wasn't the right moment for him to think about making such a big decision. However, that evening when he told his daughter about the offer, her reaction both surprised and overwhelmed him - she told him that she would never talk to him again if he didn't give the offer a thought!

Kumi is no stranger to Greenpeace. He was very involved in the development of Greenpeace's work in Africa and was a board member of Greenpeace Africa when it opened offices in Johannesburg and Kinshasa in 2008. More recently, he served as Chair of the civil society alliance 'Global Campaign for Climate Action', of which Greenpeace was a founding member.

Please join us in welcoming Kumi on board as our new International Executive Director!



I'm delighted to be introducing my first issue of *The Quarterly* and to be taking this opportunity to say hello to you all.

At the same time that I was taking up my new post as Greenpeace International's Executive Director last year, Yukio Hatoyama became the new Prime Minister of Japan - I believed we had much common ground on which to build a new relationship between government and non-government organisations in Japan. I'd accepted the role of International Executive Director at Greenpeace because I believe that ensuring a green and peaceful planet is also a basic human right. For both Prime Minister Hatoyama and myself, it is not enough to say we want change - we must ensure it happens. We are now both in a position to do so.

In this issue of *The Quarterly*, we bring you up to date on the trial of the 'Tokyo Two' - my colleagues Junichi Sato and Toru Suzuki of Greenpeace Japan - following their exposure of large-scale corruption within the Japanese government whaling programme. The world is watching this trial, and we are urging Japan to ensure a fair trial conducted in full accordance with international obligations to protect human rights. These are rights that I have held in my heart since I was a child growing up in South Africa under Apartheid, and ones that I will always strive for.

The trial began on 15 February. The case has garnered a large amount of international attention and condemnation. More than a quarter of a million people sent emails requesting that the government investigate the allegations of corruption and not prosecute the activists. Nobel Peace Prize winners Archbishop Emeritus Desmond Tutu and Betty Williams have also signed on to a letter calling on Japan to adhere to strict international standards on human rights. Many international organisations including Transparency International and Amnesty International registered their concern about the manner of detention and prosecution. Most significantly, the United Nations Human Rights Council's Working Group on Arbitrary Detention ruled that, in pursuing the detention and prosecution of Junichi and Toru, the previous Administration in Japan had breached numerous articles of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

When I was taking up my new post as Greenpeace International's Executive Director, the UN Climate Summit was about to begin in Copenhagen, Denmark. Like tens of millions of other people around the world who had been working so long and so hard for a fair, ambitious and legally-binding treaty to come out of the Copenhagen climate summit, I held on to my hope that our leaders would stop talking and start acting, my hope that they would agree a treaty to avert the threat of climate catastrophe.

Those hopes were dashed. Our leaders did not lead, they did not act. Despite a mandate from citizens around the world, and over 120 world leaders attending the Summit, the bickering continued. Four Greenpeace activists who entered the Danish Palace for the State Dinner on the eve of the final day of the summit, carried the hopes of everybody, captured on a simple hand-held banner that they unfurled, calling for a real climate deal. For this innocent peaceful protest they spent three weeks in jail - imprisoned over Christmas and the New Year - while our alleged 'leaders' got clean away, fleeing Copenhagen in private jets and 747s. You can read more about the case of 'The Red Carpet Four' in this issue.

I have long been an admirer of the work of Greenpeace, from my days as a young anti-apartheid activist. The way Greenpeace works on all levels.- from confrontation to cooperation with governments and corporations - is an inspiration. The mix of pragmatism and passion really gets things done and effects real change in the world.

I believe that Greenpeace is one of the most precious assets the global community possesses, and plays a critical part in reversing the current fatal trajectory of our planet. And, I believe you - our supporters give us the strength to continue the struggle for a green and peaceful future. Now more than ever we need you to join that struggle with us.

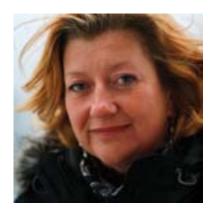
Kumi Naidoo

## whaling on trial japan's whale meat scandal and the trial of the

Two Greenpeace activists - Junichi Sato and Toru Suzuki - have gone on trial in Japan in an unprecedented court case - one that court papers will register simply as a case of theft and trespass but which, over the course of the past two years, has become so much more.

Corrupt government practices, Japan's adherence to international law, freedom of speech, the right of individual protest and the commercial killing of thousands of whales are all under the spotlight.

Before the verdict has even been rendered, the United Nations has already ruled that, in Junichi and Toru's attempts to expose a scandal in the public interest, their human rights have been breached by the Japanese government.



#### sara holden

Greenpeace International's Sara Holden has been campaigning for nearly two years for a fair trial for Greenpeace Japan's Junichi Sato and Toru Suzuki, and explains why this case is critical not only as part of Greenpeace's campaign to end whaling, but also how it has gained international attention and become a test case for the right to peaceful protest in Japan.



For more than 20 years the Japanese government has sponsored a lethal whaling programme in the Southern Ocean Whale Sanctuary under the pretext of scientific research, following a moratorium on commercial whaling by the International Whaling Commission. Repeated requests by the Commission to end the programme -widely condemned internationally as nothing more than commercial whaling by stealth – fall on deaf ears, as successive governments in Tokyo insist that the programme is legitimate.

In January 2008, Junichi was tipped off by a former whaler that the so-called research was far from legitimate and was in fact - from the deckhands onboard the vessels of the whaling fleet to the government officials overseeing the programme – riddled with corruption.

The story was sufficiently credible and backed by testimony from at least two other whalers, so Junichi and Toru decided to investigate further. Using standard research and corroboration techniques employed by investigative journalists the world over and protected under the International Covenant on Civil and Political Rights, they secured the evidence that substantiated the claims, proving that whale meat had been illegally shipped from the expedition for personal gain and with the full knowledge of government officials.



Initially, the claims seemed to be taken seriously and the Tokyo district prosecutor began his own investigation. However, Greenpeace's allegations had struck deep into the heart of the establishment and, one month later, this investigation was shut down without explanation on the same day that Junichi and Toru were arrested.

Japan's subsequent treatment of the 'Tokyo Two' is a catalogue of failures - which have been specifically and formally condemned by the UN Human Rights Council's Working Group on Arbitrary Detention - to adhere to international law and agreements to which it has given its name and endorsement, as well as its own domestic laws. Police tip-offs to media prior to the arrest, detention without charge for 23 days, questioning without a lawyer present and while being tied to a chair, censorship of basic information requested through Freedom of Information requests and a blanket refusal to disclose documents that would aid their defence are just some of the notable failings.

Cast as a straightforward criminal trial, the case nevertheless bears all the hallmarks of a political prosecution. It will be heard in the northern town of Aomori, but the lead judge has been brought in especially from Tokyo. It will put on trial not only whaling but also wider government policies, raising fundamental questions about their legitimacy.

It is not common knowledge inside Japan that the government spent a billion yen of taxpayers' money on whaling in the previous year, nor that most whale meat is stockpiled in freezers because the appetite for it is so low. The cash-flow between the government, the Institute for Cetacean Research -which sponsors the 'science' - and Kyodo Senpaku -which runs the ships - is very murky; attempts to clarify how money is spent and by whom are met with blacked-out documents and denial. The ancient system of 'Amakudari' - dropping bureaucrats by 'golden parachute' into well-paid retirement jobs in government agencies - is also intentionally lacking in transparency. And yet, all of these factors ensure that subsidising a programme that is not needed, not wanted and not scientifically robust continues.

It is all these scandals that Greenpeace aims to expose during this trial, as well as the original allegations. Junichi and Toru know that they risk up to 10 years in jail; they also know that to say or do nothing risks much more.

" Our arrest by 75 officers in full view of the media. the discontinuation of the embezzlement investigation by the Tokyo Public Prosecutor, being put on trial without the 'owner' of the box presented as the victim, the censoring of evidence. the resistance of the **Aomori Prosecutor's Office** against the admission of embezzlement evidence - all this should not be accepted in a mature democratic society."

Toru's Opening Statement



"We are pleading not guilty not for our own sake. The reason why we plead innocent is because as a Japanese citizen, I strongly believe that citizens, NGOs, and journalists shouldn't have to be afraid to make their voices heard when they speak out against wrongdoing. In other words, we strongly believe that this trial can be a forum for discussion to build the kind of society that our children can be proud of, where wrongdoing is rigorously punished and the rights of citizens exposing such wrongdoing are guaranteed."

Junichi's Opening Statement

#### Notes on a Scandal

**\$2009** 

Greenpeace receives documents released following freedom of information request for material related to whale meat sales over the last few years. The documents are so heavily censored they contain almost no information.

**2009** 

First pre-trial meeting takes place.

**2009** 

Greenpeace launches appeal for release of uncensored versions of the documents received in January.

**2009** 

Nisshin Maru docks in Shimonoseki after another season in the Southern Ocean. The practice of giving crew 'souvenir' whale meat has been discontinued, according to insider reports.

**2009** 

Aomori court agrees to hear evidence of whale meat embezzlement. The prosecution had previously argued that this evidence should be excluded.

**\$**2009

Aomori court denies defence counsel requests for disclosure of important evidence – including police files and statements by the owner of the embezzled whale meat. Junichi and Toru appeal to the High Court.

**5**2009

Sendai High Court rejects the appeal. Defendants take their appeal to the Tokyo Supreme Court.

**2009** 

Over 3,000 lawyers, individuals and organisations – including Amnesty International – write to the Tokyo Supreme Court in support of the appeal. However, the appeal is rejected and Junichi and Toru are deprived of important means of proving their innocence.

**\$**2010

The final pre-trial sees the court accept all five key defence witnesses. The United Nations Human Rights Council Working Group on Arbitrary Detention declared Junichi and Toru's detention breached international human rights agreements and that their prosecution was politically motivated.

**2010** 

After almost 18 months of waiting, Junichi and Toru's trial begins in Aomori. The Tokyo Two open the trial by explaining to the Court their reasons for pleading not guilty to the charges. Junichi asks the court to consider the consequences for society if prosecutors are allowed to get away with prosecuting those who expose wrongdoing, and not those who commit it. Toru describes his shock when he opened the box of whale meat, and the feeling that the public in Japan and beyond ought to know about the reality of the 'research' whaling programme.

### quick facts

- Greenpeace identified 33
   consignment notes showing
   that 23 crew members sent at
   least 93 boxes to their homes
   and other locations; 12 were
   production workers in charge of
   processing the whale meat on
   the Nisshin Maru.
- The sender of the box we obtained sent four heavy boxes in total to his home address in Hokkaido.
- The box we took contained 23.5 kg of prime cut whale meat called unesu. We estimated the value of the unfinished product in the box to be between \$1000 and \$3000 US dollars.
- Junichi was interrogated for around 80 hours in total, and Toru for around 120 hours in total. Interrogation took place three times a day, and no lawyers were present and no recordings made.
- On 11 July 2008 in Aomori, Junichi and Toru were indicted for theft of whale meat worth 58,905 yen (\$550) and trespass at the Seino Transportation depot.
- At the District Court level, Japan's conviction rate is 99.8% according to the same 2004 figures.
- Only 5% of Japanese people continue to consume whale meat.

When the news of Junichi and Toru's arrest broke, people around the world staged protests outside Japanese embassies. A global day of action saw people hold peaceful vigils, deliver letters of protest and support, and stage other public displays to highlight this injustice in 25 countries around the world. Regular protests outside embassies have continued ever since.

Prominent human rights lawyers and senior Greenpeace staff have travelled to Tokyo to petition the Japanese government and publicly protest the case as 'co-defendants' of the Tokyo Two, highlighting the dangerous precedent set by the prosecution of campaigners scrutinising government policy and the use of public money. Four renowned professors of international law have submitted expert opinions on behalf of the defence. One of these experts, Professor Dirk Voorhoof of Ghent and Copenhagen universities, a leading authority on the law of freedom of expression, came to the conclusion that the:

"...arrest, detention and prosecution of Sato and Suzuki on suspicion of trespass and theft and moreover the searching of Greenpeace offices and homes of Greenpeace staff members and the confiscation of a range of items including the office server are, according to international standards, to be considered as unjustified and disproportionate interferences in the freedom of expression of Sato, Suzuki and Greenpeace Japan."

More than half a million people around the world have participated in cyberactions, and more than 140,000 have sent origami whales and signed petitions calling on the government of Japan to release the Tokyo Two.





### Rotterdam, Netherlands, April 2010

Activists took action against commercial whaling and trade in whale meat by blocking a container ship with fin whale meat onboard bound for Japan from Iceland. The activists chained themselves to the mooring ropes of the container ship NYK ORION, which had meat from 13 endangered fin whales onboard in seven containers. Greenpeace called on the authorities to seize the containers and urged the protection of whales at the upcoming meeting of the International Whaling Commission.

Following our protest, Rottderdam port police promised that the whale meat shipment would remain at the port. The ship's owner decided to offload the fin whale meat rather than become complicit in the trade in an endangered species.

42 year old Toru Suzuki spent many years as a professional motorcycle racer, competing domestically in Japan and internationally, most notably in Australia. After 9 months as a volunteer, he joined Greenpeace in late 2007 as actions coordinator, swiftly becoming an integral part of the investigation that would expose the whale meat embezzlement scandal.

## whaling on trial talking to toru



When Toru visited the Greenpeace International office in Amsterdam last summer we had the chance to talk with him about his work with Greenpeace Japan. Toru told us how he became involved with Greenpeace, why he is so committed to ending whaling in Japan, and how much he and Junichi appreciate the support they've received from our supporters all over the world.

Prior to joining Greenpeace, Toru had been running a successful motorcycle business and he put his experience to good use coaching others in entrepreneurial skills. His business was going well and he was able to have more time for himself and his family. So he decided he would like to do something to help society. He volunteered for a small NGO - a 'food bank' (a very new concept in Japan) that served meals to over 500 homeless people in the park.

Toru had always been interested in reading and researching about food culture and nutrition. It was when a friend gave him a Greenpeace leaflet on genetic engineering called the 'True Food Guide' that Toru began to think that he might want to know more about Greenpeace.

"At this point my image of Greenpeace in Japan was that it was an anti-whaling organisation and I didn't know anything more than that," Toru recalled. "The public image of Greenpeace in Japan is largely influenced by the whaling industry and by the Japanese government. I didn't have any clear position about Greenpeace, but after reading the True Food Guide I was very impressed with the thorough research."

Through his wife, Toru learned that Greenpeace had also uncovered the fact that Russia had dumped nuclear waste into the seas of Japan. They decided to register their email addresses with Greenpeace Japan and a few months later they received a message that Greenpeace was looking for volunteers to help with a boat visit in Yokohama. "I really liked the picture of the Esperanza and the helicopter and thought - that's cool, I'm in!" said Toru. "Then, I thought I really need to learn more about what's going on with whaling. I started to research on the internet - I listened carefully to what the pro-whalers had to say as well as to Greenpeace's opinion; I thought what Greenpeace was saying was right."

Unfortunately the boat visit could not go ahead, as neither the port authorities in Yokohama, nor the government would give permission for the *Esperanza* to enter port. Instead, a reception was organised for supporters and volunteers, and small boats were hired to take people out to the *Esperanza* so that they could meet the crew.

"On our way back, everyone was very excited. Suddenly a strange boat came towards us at high speed and turned really hard and ran beside us. The men on board were looking at us in a threatening way. I asked one of the campaigners – and I realise now that it must have been Junichi - is this the type of people you have to deal with? It was at that moment I decided to be part of the campaign."

Toru began helping out with Greenpeace actions as a volunteer and after a while was offered a job as Actions Coordinator. While he felt that it was a wonderful offer he decided not to accept, because he wanted to spend more time with his family. When he told his wife she was really disappointed – after giving it a second thought he started working with Greenpeace Japan in December 2007. One month later, in January 2008, the investigation into the whale meat embezzlement began.



### Japan and whaling

We asked Toru what the Japanese people think about whaling and how they react to criticism from around the world about their whaling activities.

"Basically Japanese people don't really care about whaling. People are always wondering why the whaling issue is even in the newspapers," Toru replied. "Japan's a big country, with a population of about 128 million people, but the majority don't care about international issues and opinions."

"The Japanese whaling industry and the government have spent a lot of time and energy feeding the Japanese public the wrong information. They tell them that the whales eat all the fish and that there's been such a big increase in whales we should catch them if we want fish left to eat ourselves. They've said that minke whales are increasing so much they've become like cockroaches in the kitchen."

"The biggest lie is that whaling is part of Japanese culture," Toru argued. "There was some coastal whaling but this was on a small scale." It was only after World War II, when there was a shortage of food in Japan, that the order to start whaling was given, signalling the beginning of commercial whaling and Japan becoming the number one whaling nation. So who gave that order to start whaling? "The order was given by US General, Douglas Macarthur – he governed Japan after World War II as we didn't have our own government. So an American guy gave the order!" Toru exclaimed. "But there's no market demand for whale meat any more. I'm 42 years old and part of the last generation to have whale meat in school meals."

### Worldwide support

We turned our attention back to Greenpeace, the whale meat embezzlement scandal, and of course the upcoming trial. Toru said that the support he and Junichi had received from Greenpeace supporters from all over the world has been extremely important for them.

"Personally, it's very important to me to know that there are so many people around the world behind us, and that our situation is being closely watched by the international community," says Toru. "At times, it was very difficult; I've been handcuffed to a chair and unable to move, I've been questioned without a lawyer present; I was alone in custody, but I did not feel alone. I've always been able to feel that I had everyone from the Greenpeace international community behind me."

Since his release from prison following his initial arrest, Toru has become a father for the second time. He grins from ear to ear as his thoughts turn to his family.

"I'm really proud of my children. It's not only about our generation, but about the next generation, too. I don't want people pointing at them in the future, saying you're Japanese, you do whaling. I want my kids to live in an international world. I want my kids to be able to say – I'm living in Japan, but I'm part of the planet."

At the time of writing, almost all the evidence has been presented in the trial. The prosecution witnesses have repeatedly changed their evidence. Only Toru and Junichi have been consistent, and all the allegations originally made have been proven in open court. Sadly, such is the legal system in Japan and so sensitive the allegations against the establishment, that Toru and Junichi's lawyers recently warned them that - despite all the efforts there is a high chance they will be found guilty and sent to jail.

At the time that Toru visited Amsterdam last year he did not know this and was still optimistic about the final outcome.

### whaling on trial when the whales call



barbara stowe

A regular guest contributor to The Quarterly, Barbara Stowe looks back at Greenpeace's earliest campaigns against whaling and a long, proud line of ocean defenders. One dark December day in 1970, my father slit the cellophane wrapping on the jacket of a new LP and slid the record out. The few leaves left on the branches of the horse chestnut trees outside were brown and curled, afternoon was fading into evening and a gloomy atmosphere pervaded our hilltop house. Besides a lamp illuminating the stereo system, the glow of Dad's tube amplifiers was the only hint of warmth in this room at dusk.

I curled up on the couch and watched as Dad enacted a time-honoured ritual. First, he wiped the vinyl with a slightly damp facecloth. Then he folded the cloth into a ceramic dish that he kept beside the record player. Next, he held a velvet-covered cylinder the size of a toilet roll holder over the record's surface as he spun the turntable, picking up any lingering speck of dust. Finally, he blew gently on the needle before lowering it onto the disc. Sitting back in his chair, he pulled his headphones over his ears and handed me the album cover. It was a painted scene of a humpback whale blasting out of a turquoise sea into an azure sky. The whale's bulk dwarfed a man rowing a dinghy alongside. Plain black letters on a white background proclaimed: 'Songs of the Humpback Whale'.

I yawned. Neither of us had ever seen a whale in the wild. We'd certainly never heard one and I couldn't see the attraction. The next hour promised to be a terrific bore. Idly, I reached for the sleeve notes. But before I could read them, Dad had tossed me the headphones and grabbed the text himself.

The humpbacks' cries were like nothing I'd ever heard before. Haunting, mournful, ecstatic ...although these were human terms. I wondered what the whales actually felt. The sounds seemed both infinitely distant and disturbingly present and I looked over at Dad to see if he was as awed as I was. A tear was trickling down his nose. I looked away. I'd never seen him cry before. What was happening to him?

'Songs of the Humpback Whale' is based on recordings by biologist Dr. Roger S Payne, whose life was changed forever by the sight of a desecrated porpoise washed up on Revere Beach in Massachusetts. The flukes had been sliced off, initials had been gashed into its side and a cigar butt had been jammed into the blowhole. Payne vowed to devote his life to cetacean research to raise awareness about them and warn of the danger of their extinction. When that album was released in 1970, most people had never seen a whale. Capturing one live was a notoriously difficult prospect and it wasn't until the late 60s that the first aquarium had been able to keep one alive. The age of eco-tourism and whale watching was yet to come.



As for whaling, the general public was so far removed from the sight of factory ships and blood soaked seas that commercial whaling had, in the public mind, become almost a fiction, a Herman Melville invention of a bygone era.

The truth of course was far less savoury. Cetaceans were being slaughtered on a previously unimaginable scale. As early as 1930 it was feared that 80% of the great whales were in danger of extinction. Cetaceans were seen as a valuable market commodity - whale oil was used to light lamps and lubricate missiles and when protein was in short supply after the war, the Japanese ate whale meat to survive.

The world's whaling nations could not ignore shrinking cetacean populations, if only for economic reasons. In 1946 the International Whaling Commission (IWC) was created to oversee whaling stocks. But with fierce disagreement as to how to proceed, the IWC was ineffective and within two decades the blue whale (at up to 100 feet in length, the largest creature that ever lived on this planet) was in danger of extinction.

In his gripping narrative 'The Whaling Season', veteran Greenpeace campaigner Kieran Mulvaney describes how commercial whalers worked their way down the cetacean food chain: "In 1965 throughout the whole Southern Ocean, the entire global commercial whaling fleet could find and kill only twenty (blue whales). Only then, when it was too late, did the International Whaling Commission step in and grant protection...Where the blue whale went, so followed the fin and then the sei, until by the early 1970s, the whalers were turning their attention to the minke, previously considered too small to be worth hunting and at around thirty feet, the smallest of the so-called great whales."

This then, was the dire state of affairs for whales when my father heard the humpbacks' cries in 1970.

While Dr. Payne was studying whale vocalisations off Bermuda in the late 60s, Paul Spong, a 30 year old neuroscientist, was hired for a research project jointly conducted by the Vancouver Aquarium and the University of British Columbia (UBC). They wanted him to study Skana, the first orca ever captured and kept alive. As Rex Weyler documents in his epic history of the early days of Greenpeace, contact with Skana had a profound and unexpected effect on the scientist. She demonstrated an intelligence far beyond his expectations and he began arriving at work before the rest of the staff to dangle his feet in her pool and serenade her with his flute. In 1968, Spong gave a lecture at the UBC in which he argued that Skana should be released back into the wild. His research project was immediately suspended.

Spong used a \$400 separation package from UBC to set up KWOOF: Killer Whale (Orcinus Orca) Foundation, for the purpose of stopping whale captures. In the summer of 1972 he moved to Hanson Island, 200 miles northwest of Vancouver. There, in a quiet bay frequented by orcas in the summer months, he established OrcaLab to study whales in their natural surroundings.



During the 60s exposés like 'Silent Spring', Rachel Carson's devastating treatise on pesticides, instituted a wellspring of environmental consciousness. Unlikely alliances began to percolate between activists from the peace movement and conservationists of a more traditional bent. There was strength in numbers and responding to an international public outcry, the 1972 UN Conference on the Human Environment adopted a resolution calling for a 10-year moratorium on commercial whaling.

But for some species it was already too late. The Atlantic gray whale had been hunted out of existence by the end of the 18th century and the 1966 IWC moratorium on blue whale hunting may have come too late for the largest animal on our planet. At a lecture titled 'Journey of the Blue Whale', given by Dr. Andrew Trites (director of the UBC's marine mammal unit and perhaps best known for mapping the ecosystem of the Bering Sea) on 6 March 2010, he lamented that the blue whale population shows no sign of recovery. He guesstimates fewer than 7,000 blue whales still roam the world's oceans. Other estimations have put the number as far lower.

While some whale species may be gone forever, for others, there is still hope.

Greenpeace played a pivotal role in the turnaround that marked whale defending in the 70s. In 1975 the organisation launched its first zodiac protest from the *Phyllis Cormack*, confronting the Soviets on the high seas. Bob Hunter agonised about the voyage beforehand

to his friends Lyle Thurston and Rex Weyler, concerned that "everyone thinks we're crazy."

But when footage shot by Weyler and fellow cameraman Ron Precious rocketed around the globe even more people were inspired to call for the protection of cetaceans and the whaling nations began to lay down their harpoons. Australia, Chile, Peru, Spain and the Soviet Union renounced whaling. Gains had been made, but other whaling nations refused to stop and the latter third of the 20th century brought new dangers. Sarah King, oceans campaigner for Greenpeace Canada, paints a sobering picture of the hazards whales now face: "More whales are killed each year by interactions with the global fishing sector than for any other reason. Endangered species such as the northern right whale can't afford the often lethal interactions with fishing gear that they endure each year. As our oceans become more heavily travelled, more whales are struck and killed.

She also cites noise that accompanies an increase in marine traffic, which affects whales' ability to navigate and communicate and can cause strandings. Add oil spills which have devastated marine populations, dwindling food supplies as fish populations shift with warming oceans, the fact that prey such as krill are overfished, changing ecosystems particularly for polar whale species, and the picture looks grim indeed. "Plus, as climate change alters our marine ecosystems, CO<sub>2</sub> acidifies them and we overfish them. Unless whales develop a liking for jellyfish, there may be none left to save."

In 1982 CITES (the Convention of International Trade in Endangered Species of Wild Fauna and Flora) banned international commercial trade in whale meat and the IWC introduced a moratorium on all commercial whaling. The moratorium was the greatest advance in whale defence to date and one in which Greenpeace had played a crucial role. But there are easily exploited loopholes and in 1987 Japan began whaling under the auspices of 'scientific research'. Seven years later Norway resumed commercial whaling.

The 1990s saw further gains in public awareness and protections. In 1994 the Southern Ocean Whale Sanctuary was created to protect the great whales and their breeding grounds. Whale watching became such a popular global pastime, that with over 5 million people in 65 countries around the world paying to see whales, the eco-tourism industry was outstripping the commercial whale hunts in profits.

Only three nations – Japan, Norway and Iceland – were still engaged in commercial hunts. Determined to hold onto their harpoons, they launched powerful attacks on the IWC and CITES protections. Japan stepped up its vote buying strategy at the IWC in 1999, preventing the creation of a South Pacific Whale Sanctuary proposed by New Zealand. The following year at a CITES meeting in Nairobi, Japan and Norway tried to remove the ban on international trade in whale meat, failing only by a narrow margin.

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Whale defenders stepped up their vigilance in response. As the new millennium approached Greenpeace sent the *Arctic Sunrise* to confront the Japanese whaling fleet in the Southern Ocean Whale Sanctuary. Meanwhile whale watching expanded to 87 countries, generating US \$1 billion per year in eco-tourist dollars. The military had long ago stopped using whale oil to lubricate nuclear missiles and there was scant demand for whale 'products'.

Consciousness had been raised. But not everywhere.

Junichi Sato and Toru Suzuki are the latest and among the very bravest of a long line of eco-warriors who have put their freedom and their lives at risk for the defence of marine mammals. As their trial continues they stand on the shoulders of other campaigners – women and men from all over the world - dating back over 40 years to activists like Paul Spong, Bob Hunter, Susi Newborn, Rex Weyler, Mel Gregory, Kieran Mulvaney and my father.

In 2007 I sailed on the *Esperanza* to Amchitka Island. My cabin mate - Kelly Newman - a 30-something whale researcher, sang the praises of her mentor who turned out to be none other than Paul Spong. She shook her head when I said I'd never been to OrcaLab. "You should go," she chided me. "It's magical there."

Three hours out of Dutch Harbour, a fin whale surfaced. The sight filled me with a strange and incomprehensible joy. Soon a mass of humpbacks and other whales had surrounded the *Esperanza*, breaching and surfacing, blowing and snorting. They travelled with us for some time. I stared into the eye of a humpback breaching close to the railing and thought about my late father reading about Payne's desecrated porpoise and listening to the humpbacks' cries as night fell.

Later I wandered all over the ship, looking at the whales the electrical engineer had painted on the walls of his workshop and the orcas breaching on the bulkheads and I wondered if these paintings had somehow called the humpbacks here, like an incantation or prayer. I wondered if the whales knew we'd heard them and responded and so they'd come to say hello, our friends.

Several weeks ago I skyped Paul Spong. He greeted me cordially and expressed, in a voice still tinged with a slight Kiwi twang (even after years of living in Canada) how he enjoyed these 'next generation' encounters. I told him how I hadn't initially understood why Greenpeace was trying to save whales; how I'd thought we should stick with our first goal stopping nuclear testing worldwide; how it had taken standing on the deck of the *Esperanza*, looking into the eye of a humpback whale to enlighten me.

And, how my father had got it all by listening to a record and reading the sleeve notes.

### Save Whales, Not the Whaling Industry

The IWC released a proposal to 'Improve the Conservation of Whales' in advance of its upcoming annual meeting in June. Several countries including the US, which normally oppose whaling, have proposed a compromise that aims to reduce the total number of whales being slaughtered but would essentially make it easier to hunt whales commercially. It would legalise commercial whaling in international waters for the first time in 24 years.

The whales and not the whalers appear to be making all the concessions based on this proposal. It is a lengthy document that is meant to guide the IWC through a ten-year period to review its conservation efforts. While we're encouraged that the IWC is taking steps to improve the conservation of whales there is a much easier and more immediate solution. We can simply end commercial whaling, close the loopholes used to slaughter thousands of whales under the guise of science, and address the major threats facing whales today: climate change, bycatch, pollution and noise among other things.



Greenpeace opposes commercial and so-called 'scientific' whaling and will continue to push for an end to the senseless whale hunts. We will be present at this year's IWC meeting in Morocco. By giving voice to the millions of people who stand against whaling in the coming weeks and at the IWC meeting, we can inspire the action needed to protect whales from harpoons once and for all. There is no need for whaling and there is no market for whale meat.

### bad news for bluefin tuna governments put profit before conservation at

Atlantic bluefin is as endangered as the white rhino, and deserves the same level of protection. Yet governments meeting for the **UN Convention on** International Trade in Endangered Species (CITES) in Doha, Qatar, in March spectacularly failed to give bluefin the salvation it desperately needs.



Quarterly columnist Jo Kuper tells us more...

Flying in the face of science, governments voted against the Monaco Proposal to list bluefin on Appendix I of CITES – the highest level of protection possible under the Convention. Such a listing would have led to an international trade ban in bluefin until stocks recover, and the international body mandated to protect it (ICCAT – the International Commission for Conservation of Atlantic Tunas) proves itself able to do so.

It was not just the bluefin proposal that failed – numerous shark species (including hammerheads, spiny dogfish, oceanic whitetips and porbeagles), as well as red and pink corals all lost out.

In fact, not one marine species got any protection at all, and many other land species also lost out. As Olly, one of our oceans campaigners in Doha put it, "Too many governments voted to protect profits not endangered species. This meeting has been a disaster for conservation."

2010 is supposed to be the UN Year of Biodiversity, a serious attempt to highlight and reverse the global trend of huge biodiversity loss. The results of the CITES meeting, particularly for marine life, make a mockery of the UN's intentions.

So what went wrong? It seems the very same short sighted thinking that has pushed bluefin to the brink of collapse, overruled logic at this year's meeting.

There was aggressive lobbying from the Japanese delegation – which was far larger than ever before. Japan is the world's largest consumer of bluefin tuna, importing an incredible 80% of catches. A single fish can reach over \$100,000 dollars on its luxury sushi and sashimi markets.

It is, as Olly put it, "an own-goal by Japan. By pushing for a few more years of this luxury product it has put the future of bluefin, and the future of its own supply at serious risk."

Despite EU and US support for the bluefin and other proposals, they failed to counter the aggressive Japanese lobby. Given its behaviour at the meeting it is deeply ironic that Japan will be hosting the next meeting of the Convention on Biodiversity (CBD) in October.

## Despair at the failure of governments to put conservation before profits

It is hard to communicate the level of frustration at the spectacular collapse of marine conservation proposals at CITES. It is already a damning indictment on the state of global fisheries management that bluefin is so endangered it more than qualifies for an international trade ban. To then watch short-term thinking win out over the survival of a species is devastating.

The level of despair is well captured by Willie from our UK biodiversity team in this blog he wrote at the end of the meeting.

"I've tried several times to write a 'wrap-up' blog for this year's CITES meeting. But usually I end up just banging my head against the keyboard in despair.

This CITES meeting was a turning point – the governments in the room decided that they weren't there to restrict trade to protect species, but rather there to protect trade as best they could. Nowhere was that more evident than the marine proposals.

Sharks were shafted, corals crushed, and bluefin obliterated, as the assembled governments played politics, and wrung their hands earnestly over the adverse economic effects of actually protecting any of these endangered species. Conveniently ignoring the fact that it's their inability to restrain trade which endangered them in the first place...

It's hard to look on this CITES meeting with anything but despair.



### **CITES**

Yes, it's great news for Kaiser's newt. But a quick comparison shows that this species has a very limited range, and sells for up to £200 a specimen. Atlantic bluefin by comparison migrate over vast distances and can command over £100,000 each at auction (that's equivalent to 500 Kaiser's newts). Can you spot any vested interests there?

Two aspects of the CITES meeting were particularly sickening. Firstly the last-minute reopening of the discussions on sharks, which meant that in the very last hour the one marine species that had been supported for listing, the poor porbeagle shark, was overturned. As with the other marine proposals, this was all done by secret ballot too. So much for transparency and accountability, huh?

Secondly it's been widely reported that not only was the government of Japan lobbying fervently on Atlantic bluefin, but they were actively serving up chunks of it to delegates and would-be allies. Is this in the spirit of the convention? Would this be okay if we were serving up Kaiser's newt sushi, polar bear canapés, or tiger sandwiches?

Literally sickening.

The upshot is, more than ever it's up to us to do what our governments have failed to do. We need to make the continued trade in endangered species like bluefin politically, socially, and morally unacceptable... and we need to remove the market that makes it so lucrative. Because our collective governments don't seem up to the job."

### What next for bluefin tuna?

It's been a rough ride, but all hope is not lost for bluefin tuna. Across the world consumers are waking up to the crisis, and refusing to consume the endangered species.

In France, many Michelin starred chefs removed bluefin from their menus, and got restaurants in other countries to do the same. Joanna Lumley, Ted Danson, Alan Rickman, Richard E Grant, and Elle Macpherson are just a few of the famous names calling for bluefin to be protected.

The demand is clear. Bluefin must be protected – all eyes are now on ICCAT, the body largely responsible for bluefin crisis to do its job properly. This means introducing a zero catch quota (i.e. no fishing at all) with immediate effect.

Greenpeace will continue to campaign at sea and on land for the immediate closure of the bluefin fishery. Closing the fishery would allow the species time to recover, help eliminate the ever growing problem of pirate fishing, and allow fishing nations the time and space to adapt their fleets to the reduced catches and fishing seasons that will be required for a sustainable fishery in the future.

### Bluefin tuna quick facts

- Atlantic bluefin tuna is native to the Western and Eastern Atlantic, as well as the Mediterranean Sea. The Greek philosopher Aristotle was fascinated by its incredible migrations
- 2 Bluefin tuna weigh up to 700kg and can reach 3 metres in length, it can accelerate faster than a Porsche and swim at speeds up to 60mph
- 3 Japan consumes 80% of the world's bluefin tuna and a single fish can reach over \$100,000 US dollars.
- 4 In 1999, Greenpeace recorded how Mediterranean stocks of bluefin had declined by 80%
- 5 In 2009, ICCAT scientists found that the current spawning mass of Atlantic bluefin is less than 15% of what it was before industrial fishing began
- 6 The abject failure of the countries party to ICCAT to protect the fishery led an independent commission to call the management of the fishery 'an international disgrace' in 2008





On 17 December 2009, Greenpeace activists made a special appearance at a banquet hosted by the Queen of Denmark for Heads of State attending the UN climate summit in Copenhagen. Juan, dressed in a tuxedo, and Nora, decked out in a red floor-length gown, were waved through the high security cordon in their three-car convoy. They were ushered up the red carpet and, arriving inside, unfurled two banners reading 'Politicians Talk, Leaders Act'. The activists were posing as the 'Head of State of the Natural World' and his 'wife'. They were arrested, along with two other activists, Christian and Joris. Within 24 hours over 13,000 people gave their support to the four activists, who became known as the 'Red Carpet Four', and announced their support for future civil disobedience.

Meanwhile, the real Heads of State were meeting the next day for the final sessions of the Copenhagen climate summit. Here, they came no further than producing an empty shell of a document – the 'Copenhagen Accord'. Only five page in length, two of which showing only blank tables, this document contains no legally-binding targets for limiting emissions of global warming gases. World leaders let the opportunity for agreeing a fair, ambitious and legally-binding agreement simply slip through their fingers.

Greenpeace offered its full cooperation to Danish police and provided them with comprehensive details of the activity. A request from Greenpeace asking the Danish police to specify what additional information they needed to know in connection with the case was met with two weeks of silence. Only on Tuesday 5 January did the police finally request the names of other individuals who had been in the Greenpeace 'cavalcade' on 17 December. These individuals volunteered their details, removing the last conceivable reason for continuing to detain the Red Carpet Four.

The Danish police proved uncooperative in the face of honest efforts by Greenpeace to help them conclude their investigation. As a result, the four activists spent Christmas and New Year in jail, separated from their families. After 20 days in prison without trial, they were finally released, after substantial international public and diplomatic pressure. However, the Four still face trial in the Danish courts, and possible prison sentences.

The Red Carpet Four were willing to risk their freedom for a cause. We have been witnessing 20 years of virtual inaction by governments against climate change – the single greatest problem facing humanity. When governments agreed the Bali Mandate in 2007, the aim was to conclude an effective agreement in Copenhagen.

Greenpeace campaigned intensively to help achieve a successful outcome that would deliver a fair, ambitious and legally-binding international treaty, but it became clear in Copenhagen that the talks were floundering.

Greenpeace felt compelled to communicate the urgency of the problem directly to world leaders on the crucial final evening of the climate summit. The aim of the Red Carpet Four was to bring leaders to their senses, so that they would recognise that the future of the planet was at stake. We wanted to urge them to pull back from the brink of failure – as they could have and should have done on the final day of the summit.



We believe **peaceful protest** and **civil disobedience** are **justified** in confronting a problem as serious as climate change. Greenpeace engages in peaceful protests and is recognised for doing so. Our activists accept the consequences of their actions and are prepared to attend and argue their case in court. They took action for **the highest of moral imperatives:** the survival of us all and the world as we know it.

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### **Nora Christiansen**

Nora is Norwegian but has lived in Denmark since 2000 with her Danish husband and their children in Valby, close to Copenhagen. She is a development manager with Greenpeace International. Her husband, Mads Flarup Christensen, is the Executive Director of Greenpeace Nordic. Nora played the role of the 'wife' of the 'Head of State' during the activity on 17 December 2009.

"I have paid a high personal price for the action sitting detained for 20 days but thinking of the 50 million climate refugees we have across the world already to day I feel no doubt in my mind. I would do it again. We have to make sure that politicians do no flee from their responsibility once again"

### Juan López de Uralde

Born in San Sebastian (Spain), he is married and has two children. He is the Executive Director of Greenpeace Spain. Juantxo played the role of the 'Head of State' during the activity on 17 December 2009.

"I cannot turn a blind eye to the destruction of the planet while seeing how world leaders do not even try to avoid it. We did what we had to do when we had to do it and we had the support of millions of people, the same people who mobilised around the world during our detention in Copenhagen".

### **Christian Schmutz**

Married, father of a 2-year old son, Christian lives in Wetzikon, Switzerland. Christian played the role of the bodyguard to the 'Head of State' and his 'wife' during the activity on 17 December 2009.

"I was convinced that my act of civil disobedience was necessary to highlight the pending environmental disaster, and to draw the attention of the decision-makers away from the social event and back to their huge unresolved mission."

### Joris Thijssen

Climate and Energy Campaigner living in the Netherlands. Joris became a father of a son on 20 March 2010. He was also detained on Friday 18 December 2009 until 6 January 2010, in connection with the activity.

## The other 'Red Carpet' action: EU Summit, Brussels



EU leadership was an essential ingredient for the success of the Copenhagen climate summit. In the lead-up to the summit, we decided we'd also send a clear message to EU leaders that the fate of the climate negotiations depended upon their leadership.

On 11 December 2009, Greenpeace activists travelled to an EU Summit in Brussels in a Greenpeace 'motorcade'. Arriving at the venue, they stepped out of the cars and onto the red carpet, in the midst of the official government delegations and media, and unfurled a banner reading 'EU: Save Copenhagen'. The activists attempted to hand over a blueprint for a strong global climate treaty but were taken away by security officers.

Ten activists were held for 24 hours following the peaceful protest.
Currently, no one has been charged.

The breach in security only briefly disrupted proceedings in Brussels, whereas the reluctance of EU leaders to increase their emission target in accordance with the science was a threat to the security of millions of citizens in Europe and the rest of the world.





### jasper teulings

Jasper Teulings is Greenpeace International's senior legal counsel and the head of the Legal Unit. He advises on all legal aspects of campaigning, with particular focus on freedom of expression, and provides strategic legal advice to Greenpeace International's senior management team. He represents Greenpeace in international meetings and NGO committees. Jasper has over 10 years' experience working in a private law firm in the area of media law. Jasper has been registered with the Dutch Bar since 1994.

### Greenpeace International's senior legal counsel, Jasper Teulings, on the future of civil disobedience

Whether the failure of the Copenhagen Climate Summit has dealt a mortal blow to the process of international climate negotiations in their current form is an important question currently under debate. A broader issue that is receiving attention in a handful of European countries is the future of civil disobedience, especially in the fight for 'climate justice'.

The theoretical roots of civil disobedience are usually traced to Henry David Thoreau's 1849 essay Civil Disobedience. Thoreau believed that the individual, who grants the state its power in the first place, must follow the dictates of his conscience in opposing unjust laws. (His ideas on civil disobedience reflected time he spent imprisoned for his refusal to pay a poll tax that supported the Mexican-American War and slavery.) Today, civil disobedience is generally defined as a public, non-violent and conscientious breach of law undertaken with the aim of bringing about a change in laws or government policies.

### What the Red Carpet Four did was classic civil disobedience.

Before her arrest, Nora told an interviewer that she was aware of the possible consequences of what she intended to do: "It's a personal risk of spending a couple of days in prison.... you have to compare it to people who are affected by climate change and if we can do just a little to support them in this way then I am happy to do it."

Nora assumed, as did we all, that the law would play by the law, and that she would be arrested, charged, released until trial and then - if convicted - perhaps sentenced to a fine or a few days in jail. Instead, Nora was held for 24 days in a prison cell, in virtual isolation, where she spent the Christmas and New Year holidays with almost no contact with her husband and two young children.

Throughout the nearly four decades of our history, Greenpeace has abided by our core values of bearing witness and peaceful protest. The protest for which the Red Carpet Four were arrested was a piece of political theatre in line with this tradition. It relied entirely on simple, readily-available materials and included several elements of farce - for instance, Greenpeace logos in the windscreens of cars rented by the activists were in one case wedged in place by a pair of socks; one of the car number plates included '007' – a reference to James Bond; blue flashing lights were bought for a few dollars off the internet.

After the arrest, Greenpeace guaranteed that, if the activists were released, they would voluntarily return to Copenhagen to stand trial. To further facilitate the police investigation, Greenpeace immediately offered its full coperation to Danish police and provided them with comprehensive details of the activity. Our request asking the police to specify what additional information they required in order to complete their investigation was met with two weeks of silence. While the police claimed detention was necessary for the investigation, it turns out that the Red Carpet Four were only questioned briefly on their first day in custody and for 15 minutes shortly before their release

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History shows that civil disobedience has been an effective method of instigating social change and ameliorating unjust laws. While it involves breaking the law, it also makes laws and has been at the heart of many of the great social advances in modern historical times; from the Boston Tea Party, anti-slavery and civil rights, to womens' right to vote. Examples set by Gandhi, King and Mandela represent the kind of disobedience aiming to guarantee legal protection for the basic rights of individuals. Contemporary civil disobedience as seen in the fight against climate change focuses not solely on individuals' basic rights, but also on broader issues of justice.

In the case of the Red Carpet Four, civil disobedience was clearly used as a mechanism for repairing a democratic deficit. Civil society had been shut out from the climate negotiations and it was clear that on the evening before the final day of the conference that a credible deal was nowhere in sight. Via a harmless peaceful protest, the Four aimed to impress on world leaders the urgency felt by citizens to act against climate change. While the Red Carpet Four were willing to accept legitimate legal ramifications, they were subjected to an unwarranted and unjustified detention.

In the words of Nobel Peace Prize winner Al Gore: "If you're a young person looking at the future of this planet and looking at what is being done right now, and not done, I believe we have reached the stage where it is time for civil disobedience...". NASA's Chief Scientist Dr. James Hansen and UNFCCC Executive Secretary Yvo de Boer have made similar calls for civil disobedience to save the climate in recent years.

British human rights lawyer Richard Harvey has questioned whether this detention is in line with European and international norms stating that, "The Danish authorities must regard legitimate protest as an essential element of democratic discourse and freedom of expression. Such prolonged pre-trial detention appears to be a flagrant violation of key articles of international human rights agreements requiring those awaiting trial to be released when they guarantee to appear in court and for them to be entitled to trial within a reasonable time."

### Let me give you two recent examples of how civil disobedience ideally works.

The first is from late 2008. Six Greenpeace activists, known as 'The Kingsnorth Six', were accused of causing £30,000 of criminal damage to the Kingsnorth power station in the UK. They scaled a smoke stack and painted 'Bin it Gordon' on the side. They were arrested and then released pending trial. In a victory for climate justice, their defence of 'lawful excuse' - taking direct action to protect the climate from the burning of coal - was accepted by the jury.

The second example is a court verdict from 4 January 2010. Last July, 11 Greenpeace protesters unfurled an enormous banner on Mount Rushmore national monument, in South Dakota. Positioned just next to the head of President Lincoln was the face of President Obama and a slogan that read, 'America Honors Leaders, Not Politicians: Stop Global Warming'. The goal was to challenge the President to take a strong

stance on climate change in the lead-up to the Copenhagen climate summit. The court in South Dakota allowed the activists to return home pending trial. All duly returned for their day in court, including an activist residing in the Netherlands. In sentencing the activists on 4 January, the judge in South Dakota noted the care they had exercised with regard to the monument, their motivations and the tradition of peaceful protest in the United States. The sentences involved fines of \$460 US dollars each. One activist spent two days in jail, the others received 50-100 hours of community service.

Restriction of peaceful protest against a problem as pressing as climate change is a serious threat to democracy. Given the failure of the Copenhagen climate summit to come up with the fair, ambitious and legally binding treaty necessary to avert climate change it will take the will of the world to make politicians act.

Civil disobedience is one of the few tools that remain for civil society to participate in the conversation. It is an ultimate act of citizenship. In the words of historian Howard Zinn: "Protest beyond the law is not a departure from democracy; it is absolutely essential to it."

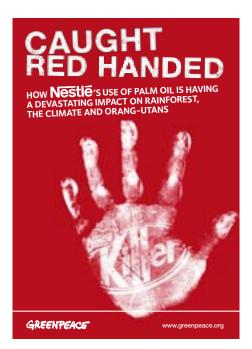
It is in the interest of all of us to make sure that prolonged preventive and pre-trial detentions are not used to stifle freedom of expression and that they remain the exception.

## giving the orang-utans a break! sweet success for our KitKat campaign

Our damning new report 'Caught Red Handed' exposed how KitKat-producer Nestlé is sourcing palm oil from suppliers who continue to expand into the rainforest and carbon-rich peatlands of Indonesia...and into orang-utan habitat. **Hundreds of thousands** of you supported our two-month KitKat campaign by e-mailing Nestlé, calling them, or spreading the campaign message via Facebook, Twitter and other social media profiles.

We know consumer activism works - we've seen it time and time again! And we knew that if enough of us told Nestlé to stop monkeying around, it would do the right thing...

In May, Nestlé finally announced a break for the orangutan - as well as Indonesian rainforests and peatlands - by committing to stop using products that come from rainforest destruction.





On 17 March, Greenpeace protested at Nestlé headquarters and factories in the UK, Germany and the Netherlands. Over 100 activists – some dressed as orang-utans – called on Nestlé staff to urge the company to stop using palm oil that results in forest destruction. At the same time, Greenpeace launched a video, 'Have a Break?', which parodied Nestlé's KitKat advertisements.

Nestlé, the world's leading food and drinks company, is a major consumer of palm oil. In the last three years, its annual use has almost doubled, with 320,000 tonnes of palm oil going into a range of products, including KitKat.

Nestlé was quick to admit that it was using palm oil from the destroyed rainforests in its products. But it also took swift action to have the Greenpeace video removed from YouTube - only a few hours after its launch in an apparent attempt to silence our efforts to expose the awful truth about some of its most popular brands. This didn't stop the video from being seen by thousands of people, as it was re-posted many times over by people determined to get the word out that Nestlé needs to clean up its act. After just 30 hours, the total number of views of the different versions now available was 180,000 - by mid-May, the video had been viewed over 1.5 million times.

Following the launch of our KitKat campaign, Nestlé publicly announced that it would cancel its direct contacts with Indonesia's biggest palm oil supplier, Sinar Mas, because of that company's long history of environmental abuse. However, this really didn't go anywhere near far enough in giving the rainforests a break. Despite its announcements, Nestlé would still be using Sinar Mas palm oil in its KitKats, because its other suppliers – like Cargill, for example – buy from Sinar Mas. Nestlé needs to cut the Sinar Mas group from its supply chain completely.

Nestlé received a barrage of complaints via its Facebook page from people who recognised that its concessions were not enough to protect Indonesia's rainforests. The power of social media combined dramatically with our direct actions to deliver the message directly to Nestlé at events such as its Annual General Meeting on 15 April. Outside the meeting venue shareholders were greeted by protesting 'orang-utans', while inside our activists dropped down from the ceiling just as the meeting began, unfurling banners asking Nestlé to give orang-utans a break.

Nestlé had circulated a factsheet on its palm oil use, which also included a commitment to use only 'Certified Sustainable Palm Oil' by 2015. This was not the solution we needed.



## Thanks for the break!

### **Caught Red Handed**

'Caught Red Handed – How Nestlé's Use of Palm Oil is Having a Devastating Impact on Rainforest, the Climate and Orang-Utans' exposed the links between Nestlé and palm oil suppliers – including Sinar Mas.

The report followed numerous attempts to persuade Nestlé to cancel its contracts with Sinar Mas, Indonesia's largest producer of palm oil. In December 2009, we wrote to Nestlé with evidence that Sinar Mas is breaking Indonesian law and ignoring its commitments as a member of the Round Table on Sustainable Palm Oil (RSPO), the industry body that claims to be making the palm oil industry more sustainable.

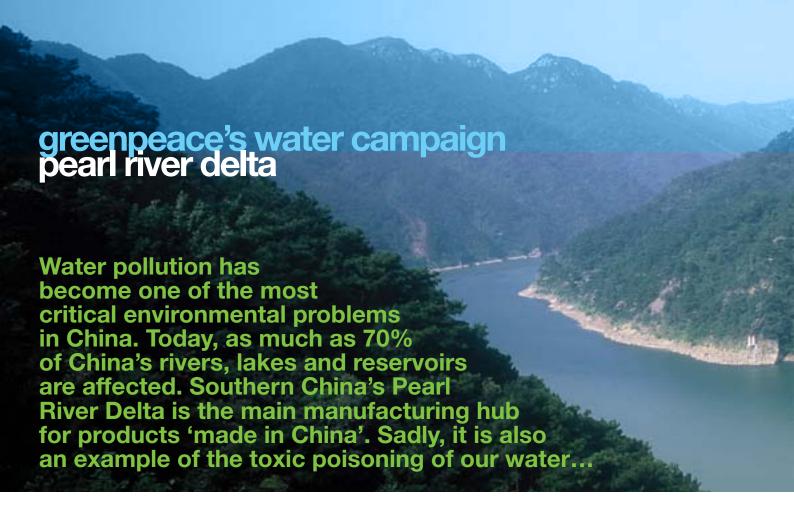
Evidence shows, however, that Sinar Mas' forest destruction continues. Indonesia's rainforests are being deforested at a faster rate than any major forested country in the world, earning it an unfortunate place in *The Guinness Book of World Records*.

We need those rainforests. They play a crucial role in regulating our climate and absorbing CO<sub>2</sub>. Companies producing palm oil at the expense of these rainforests are cutting the lungs of the planet, and contributing towards making Indonesia the third largest carbon emitter in the world after the US and Canada.

Deforestation is actually responsible for more carbon emissions than all the cars, trucks, planes and automobiles in the world: 1/5 of total emissions.

It's also destroying the livelihoods of local people and it's trashing orang-utan habitat, pushing the species to the brink of extinction.





Industrial pollution is currently out of control with factories around the world, releasing hazardous chemicals that impact our precious water resources, which in turn causes long-term devastation to human health and the environment. Over the past few months Greenpeace has been developing its new Water Campaign to address this problem. Prajna Khanna tells us more...



When I was about 10 years old, my mother took me to the holy city of Varanisi where, she explained, the River Ganges would wash away my sins. I can remember standing kneedeep in the gentle waters lapping against the riverbank, on a misty Indian morning, contemplating my mother's instructions to immerse myself completely in the river. Around me, in the golden light, grown-ups stood with eyes closed and hands joined in fervent prayer, asking the river to bless them as it cleansed them. I stood there, feeling the riverbed squelching between my toes, and decided that the river must have been washing a lot of bad Karma away for a lot of people, since it looked and felt particularly dirty. And, as I tried to muster the courage to take a dip, I wondered how anything could ever be cleansed in the river again. What would happen if the river got so dirty, all the water would just simply be bad?

It is many years later, and I now know that we really are killing our rivers.

When India gained independence in 1947, there was not a single industry standing. As a second generation Indian following the independence, I must confess that reading about India's 8% GDP growth rate gives me a massive sense of pride. Industrial progress and economic development are perfectly valid targets for any government that is raising its country above the poverty line – but alongside this progress and development an everincreasing darker pall is spreading, and it's something that we cannot ignore.

Industries are chugging away, trying to keep up with the global hunger for 'cheaper' goods, and especially so in the so-called 'BRIC countries' – Brazil, Russia, India and China – whose economic potential is such that they could be among the four most-dominant economies by the year 2050. But the environmental cost of their game of 'catchup' may be exceedingly high if these BRIC countries do not learn from the experiences and mistakes of the developed world.

The Millennium Development Goals (MDGs) are eight international development goals that all 192 United Nations member states and at least 23 international organisations have agreed to achieve by the year 2015. Millennium Development Goal 7 ambitiously hopes to 'reduce by half the proportion of people without sustainable access to safe drinking water'. This seems particularly aspirational in the wake of serious water scarcity becoming an increasing reality around the world due to climate change. This problem is compounded further when we are consciously poisoning what water we do have left with hazardous substances.

Our industries need to stop putting toxic chemicals and similar hazardous substances into our fresh water sources, particularly in developing nations. Understandably, this is and can be a very contentious issue, depending upon which side of the poverty line your population demographics happen to be positioned.

On a recent visit to China, where Greenpeace is actively campaigning in the Pearl River Delta area, I had some time and reason to dwell on this dilemma, both as an outsider but also from the perspective of one whose dark blue passport affirms citizenship of a nation in progress.



The Pearl River in southern China is the country's second largest river by volume, and the Pearl River Delta dominates the world's supply chain for light consumer goods, garments and accessories. Also known as the world's factory floor', the region generated \$354.1 billion US dollars - nearly 30% of China's total exports - in 2007. In October last year, Greenpeace sampled the waste water discharge of five factories in the region that are spewing their waste into the river. The aim was to scan for the presence of hazardous chemicals that are commonly banned in Europe. Our findings were sadly not surprising. Substances considered unsafe enough to be banned by regulators in Europe were present in all of the sampled waste water. The substances are known and classified as hazardous because they cause serious harm to the environment and human health. The crucial fact is that once these are released into the environment it is almost impossible to ever get rid of them again as they simply break down into other form of chemicals.

During the sampling, our researchers met people who live alongside the industries and the river and over and over again they heard the same stories - of soapy-tasting fish and fishermen who are unable to fish in the region anymore, to the grimmer reports of high incidence of cancer in the villages.

As I journeyed from Shenzen to the Gungzhou in the Delta, one long corridor of factories of all shapes and sizes flanked the highway. This corridor continued for hours, interspersed with little residential townships and small 'farming plots' where crops and vegetables were grown. The same river that provides water to the factories for their manufacturing processes is also being used as the dumpsite for their waste waters. And of course, this was the very same river from which the farmers were drawing their water to irrigate their crops and perhaps even for their other household needs.

Away from this reality, it's far too easy to be simply amazed by the industrial growth of a country like this, and to be grateful that you're paying less for a whole variety of consumer goods as a result. But being here and even just ordering your lunch – well, the idea that the vegetables and seafood sitting on your plate have in all probability been grown using the waste water from the factories that you've just been gaping at in awe makes you realise the true cost of 'cheap' goods.

So how is it that - if the release of certain substances by industry into the environment is banned in one part of the world - it's able to continue in another? Who is responsible for this problem? Most importantly - what is the solution?

Responsibility lies both with governments in countries that have weak or badly enforced regulations and the corporations that continue using these chemicals, knowing full well that they are hazardous to human health and the environment.

There is no easy solution. But that doesn't mean we don't try to find one. Whichever side of the poverty line they may be on, governments in developing nations have to value the lives and health of their populations enough to create and enforce strict laws to prevent factories from dumping toxic waste into the rivers that sustain life in and around them. Industry for its part has to find alternatives to the bad chemicals in its production processes. If we've found a way to the moon surely we can find a safe way to dye jeans.



This is a new global campaign and we're going to need to need your help very soon. Please sign up to receive our free monthly newsletter that will keep you informed about this campaign - and our other work across the world.

Please visit our website at www.greenpeace.org/water, tell us your e-mail address and we'll do the rest!

### news from around the world



In January, three teams of Greenpeace activists blocked a train transporting nuclear waste to Cherbourg, the heart of the French nuclear reprocessing industry. In Cherbourg, the waste was eventually loaded onto the transport ship *Kapitan Kuroptev*, destination Russia.

In April, activists managed to get alongside the ship displaying banners reading 'Russia is not a nuclear dump'. Greenpeace activists continued to be on the frontline, attempting to stop this shipment of nuclear waste from France to Russia. Despite attempts from the nuclear industry to silence us, we continue to non-violently resist the transport of nuclear waste anywhere in the world.



When India's Genetic Engineering Approval Committee (GEAC) approved the crop back in October, without proper tests, there was national outrage among independent scientists, consumers, farmers and civil society groups. India's Environment Minister has now made a very welcomed decision to impose a moratorium on Mahyco (co-owned by agrochemical giant Monsanto) Bt brinjal and to protect Indian agriculture. Brinjal is the Indian name for aubergine (or eggplant). India is a centre of diversity for this crop and the largest producer of aubergines in the world - growing more than 4,000 varieties.



Facebook announced that it will build a massive data centre in Oregon, USA, packed full of the latest energy-efficient computers to serve the hundreds of millions of friends connecting on their near-addictive social networking website. But the company plans to run the place on electricity made by burning coal, the dirtiest source of energy and largest single source of global warming pollution in the world.

Facebook should be run on 100% renewable energy. This clear demand started spreading on the social network website in February, and will grow until the company announces a decision to really go green. The new data centre won't be ready until 2011, and people power has moved the company before.



Samsung still uses PVC and brominated flame retardants (BFRs) in all its products, except in a few models of mobile phone, MP3 players and some components, despite many promises to clean up. That's why our activists stuck huge stickers on the Korean electronic giant's Benelux headquarters in Brussels in early March, stating 'Samsung = broken promises'.

Elsewhere in the world, one of India's relatively small PC manufacturing companies, Wipro, beat giants like Dell, Samsung and Lenovo to the finish line in producing a computer free of the worst toxic chemicals. A major first in India, the announcement marks another success for our green electronics campaign in driving tech companies around the world to clean up their products.



The Swiss Parliament extended its ban on the cultivation of genetically engineered (GE) plants for three more years. Originally enacted in 2005, Switzerland will stay GE-free until at least 2013.

The original moratorium was backed by Swiss voters in a referendum 5 years ago. Supporters of the ban included farmers, who were concerned about the impacts of GE crops on organic produce. Our Swiss office has been supporting these farmers and Swiss consumers to ensure the country remains GE-free. This is a significant national victory, but more than that it is an example for the rest of the EU. The EU needs to follow the Swiss example by implementing a moratorium on all GE food in order to protect the environment, agriculture and people.



Twelve Greenpeace activists climbed the 300 metre high chimney of the Prunerov II coal-fired power station, in the Czech Republic, and hung a banner denouncing plans to extend the life of climate changing plant as a 'Global Shame'. The Czech government doesn't seem to care about the problems it's causing in places like the Pacific. Despite objections from the Federated States of Micronesia (FSM), a nation whose existence is threatened by climate change, the Czech government is hell bent on extending the life of the country's single biggest source of carbon emissions.



Greenpeace activists unfurled banners of every size outside the offices of Dell in Bangalore, Amsterdam, and Copenhagen on an international day of action at the end of March, just as Dell executives met to discuss a roadmap to finally remove the worst toxic chemicals from their electronics. The message around the world to Dell's founder and CEO: "Michael Dell: Drop the Toxics!" Dell continues to use PVC vinyl plastic and brominated flame retardants (BFRs) in all its computers, despite promising to eliminate these toxic substances. The giant PC maker had committed publicly to be off these chemicals by the end of 2009. This deadline has now passed.



Billionaire tycoon David Koch likes to joke that Koch Industries is 'The biggest company you've never heard of'. But the nearly \$50 million US dollars that he and his brother Charles quietly funnel to front groups who deny that climate change is a problem is no joking matter. Our new report, *Koch Industries: Secretly Funding the Climate Denial Machine* showed how that cash, between 1997 and 2008, went to groups working to prevent action being taken against climate change and revealed the connections between the Koch family, their employees, and a global network of 'front groups' engaged in trying to sabotage climate science.



The UK created the world's largest marine reserve, covering some quarter of a million square miles of ocean around the Chagos Archipelago - one of the most pristine and biologically diverse coral ecosystems on the planet. The protected area is bigger than the whole of France, and it nearly doubles the total amount of ocean that is now off limits to commercial fishing.

Despite this great news, the total percentage of our oceans now fully protected still falls far short of 1%. Scientists and the world's governments have agreed that much more needs to be protected but with the current rate of progress we wont be able to protect enough before it's too late.

Marine reserves not only help to the buffer the effects of fishing outside their boundaries but they also serve to give ocean life a better chance of adapting and recovering from the effects of climate change.



Billboards of European Health Commissioner John Dalli and President of the Commission José Manuel Barroso depicted as chefs cooking up 'GE recipes for disaster' were placed around Brussels in April. This was part of Greenpeace's response to the controversial Commission approval of GE potato cultivation in Europe - the first such approval since 1998.

President Barroso continues to push a pro-GE agenda, going as far as removing the Environment Commissioner from any decision involving GE licensing and placing Health Commissioner Dalli in this role. Dalli's first decision was to approve the GE Potato Amflora for cultivation in Europe, an extremely disappointing decision considering the medical expert opinions which stressed the importance of antibiotics being affected by the potato's genetic makeup. This decision flies in the face of the will of several EU member states, the advice of medical experts, including the advice of the World Health Organisation and European Medicines Agency, and - most importantly - the EU public.

### get involved

Three young
Greenpeace
supporters from New
Zealand decided that
they wanted to send
their own unique
message to the
Copenhagen Climate
Summit, so they
wrote to us asking
for help.

Hi Team,

We are a family of 5. We have written this rap for the climate change summit. We think it is cool. We think it covers lots of issues. We think it gets the message out there.

Can you send it to Copenhagen for us? Can you use it in your campaign?

Thank you for your time. Mason family.

Their rap called for urgent action on climate change to protect the planet for future generations and we were so impressed that we asked the Mason family if they could make a video for us. Josie aged 12, Maddie aged 10 and Louisa aged 7 went straight to work and produced a fantastic video which you can view on Youtube at:

### http://www.youtube.com/watch?v=Uyg3Y98Zxvg

Not only did everyone in the office feel inspired by the wise words of these young people, but the video was viewed over 2,000 times and was finally picked up by CNN and broadcast during a live debate on climate change in Copenhagen, in which Yvo de Boer and Daryll Hannah took part.

Video - Breaking News Videos from CNN. com#-video-world-2009-12-16-cnn. youtube.climate.debate.bk.f.cnn

It is a shame the politicians didn't listen to their words of wisdom and create a fair and binding agreement to combat climate change for the future generations, but there is always hope when there are young people like Josie, Maddie and Louisa trying to make a difference.



### Word up!

Hey World Leaders, listen to me! You gotta stop cutting down the rainforest trees. Trees absorb CO<sub>2</sub> and give out fresh air, If we cut them all down it's bye-bye Polar Bear! As CO<sub>2</sub> goes up the world gets hotter, The ice caps melt, this has got me real bothered The poor Polar Bear has lost his habitat. Island nations will flood - I don't want that!

Hey World Leaders, listen to me!
The science is real, there's no conspiracy.
Those media and PR dudes have got me really mad
They don't report, they just distort
The truth. It's really sad.
It's time to act as a one world nation,
Our planet needs cooperation.

Hey World Leaders, listen to me! It's time to get tough on farms and industry. The greenhouse gases they're producing, Need urgently reducing. There's no debate, this just can't wait You gotta change the way they're working.

Hey World Leaders, listen to me!
I'm only a kid but I'm scared, you see.
The weather's going weird. Big hurricanes keep coming.
The rain keeps pouring and there's lots of flooding.
Those industry geeks make my future real bleak.
You gotta lay down the law and make them change their ways before
They stuff up the world while I'm still a little girl.

Hey World Leaders, listen to me! I'm speaking on behalf of all the families.
Our future generations depend on your deliberations, I'm trusting you to get them through.
Are you hearing what I'm saying?

Hey World Peoples, listen to us!
Climate change is happening and we have to make a fuss.
Carbon's going up and we've got to bring it down,
We need to change the way we live, eat and get around.
There'll be some pain for long-term gain,
There's no quick fix solution.
So make a start and play your part
For climate revolution!

### in the next issue

### warrior of the rainbow

On 10 July 2010, 25 years to the day since the bombing of the first *Rainbow Warrior*, the keel-laying will take place for the next ship that will bear this proud name.

Join us next time, when we take a look back at the history and work of the first two *Rainbow Warriors*, and take a look forward to the third *Rainbow Warrior*, which will continue Greenpeace's work around the globe.



### Greenpeace is an independent campaigning organisation.

We do not accept money from governments, corporations or political parties. That's why our financial supporters are our lifeblood. Your ongoing support plays a vital role in creating change, protecting the environment and forcing solutions that are essential to a green and peaceful future.

The fight against environmental abuse will continue long after you and I are around to give it voice. But you can take a step now that will secure a better planet for the children of today and tomorrow - leave a gift to Greenpeace, leave a gift for the future.

Every bequest/legacy, large or small, strengthens our commitment to the environment. Bequests and legacies to Greenpeace are not dedicated to a specific project but will be used wherever they are needed most urgently. This is applicable to smaller legacies as well as multi-digit donations.

€ 500 - buys one full set of professionalgrade climbing gear, to be used in actions.

€ 35,000 - pays for one year's worth of aerial monitoring by plane and satellite to document illegal logging in the Amazon rainforest.

€ 100,000 - pays for a month-long sea expedition, e.g. in a campaign against illegal fishing.

### **Dear Supporter**

We hope you have enjoyed this issue of *The Quarterly*.

If you have an interesting story that you would like to share with us, we would love to hear from you. For this, and any other feedback, suggestions or comments you may have, please write to us at the following e-mail or postal addresses:

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and



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Quarterly 2010.1

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28 offices in over 40 countries – across **Europe, the Americas, Asia, the Pacific** and Africa...Greenpeace; truly global

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